

Glenda Wiles

From: George Corn
Sent: Tuesday, July 03, 2007 1:38 PM
To: Commissioners Department
Subject: FW: Wildwest Institute, et al. v. David Bull, et al. U.S. Court of Appeals Case No. 07-35044

FYI – This should cap it off. Important that you stuck with it.

From: Julie Weis [mailto:JWeis@hk-law.com]
Sent: Monday, July 02, 2007 2:51 PM
To: Becki Linderman; Bob Wetzsteon; Byron Bonney; George Corn; Pat Connell; Sandy Herrick
Cc: Scott Horngren
Subject: FW: Wildwest Institute, et al. v. David Bull, et al. U.S. Court of Appeals Case No. 07-35044

Dear all – attached in pdf format is the response brief we filed last Friday on your behalf in the Middle East Fork case. With the \$5,000 committed by Ravalli County on behalf of all your interests, we were able to prepare a good brief and relied on the government attorney to prepare the extensive (and expensive to prepare) excerpts of record. One of the reasons it worked out well is that Woodbury's opening brief, to which we were responding, was largely a repeat of his preliminary injunction brief. The only new argument raised by Woodbury (regarding the alleged harm to "old growth" species, i.e. goshawks, pine martens, black-backed woodpeckers and the pileated woodpecker) had been fully briefed on summary judgment in the district court, so we were able to draw on that argument almost in total. So you're still in the game, keeping the Ninth Circuit Court of Appeals advised of your very real, on-the-ground interests in this important case. Woodbury's reply brief is due at the end of this month, and it will be several months after that before argument is even set. We hope that lots of good work is happening in the project area and that your weather is not too dry.

Take care and call or email with any questions –

Best regards,

Julie Weis

503.225.0777

RECEIVED

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Ravalli County Commissioners

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*This 60 page
 appeals case
 is on file in
 Commissioners
 office*

7/5/2007

07-35044

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

WILDWEST INSTITUTE, et al.,

Plaintiff-Appellants,

v.

DAVID BULL, et al.,

Defendant-Appellees,

and

**BITTER ROOT RESOURCE CONSERVATION AND DEVELOPMENT
AREA, INC., RAVALLI COUNTY, SULA VOLUNTEER FIRE
DEPARTMENT, ROBERT WETZSTEON, BECKI LINDERMAN, and
ROCKY MOUNTAIN LOG HOMES,**

Defendant-Intervenor-Appellees

**APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
Case No. 06-66-DWM**

DEFENDANT-INTERVENOR-APPELLEES' RESPONSE BRIEF

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(503) 225-0777**

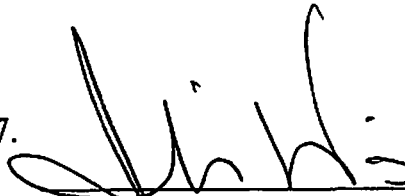
**George H. Corn
Ravalli County Attorney
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(406) 375-6750**

Counsel for Defendant-Intervenor-Appellees

CORPORATE DISCLOSURE STATEMENT

Pursuant to Fed. R. App. P. 26.1, defendant-intervenor-appellees state that the Bitter Root Resource Conservation and Development Area, Inc. is a non-profit corporation that does not issue share to the public or have subsidiaries that issue shares to the public, Ravalli County and the Sula Volunteer Fire Departments are political subdivisions of the State of Montana, Robert Wetzsteon and Becki Linderman are private individuals, and Rocky Mountain Log Homes is an assumed business name for Montana Sundown, Inc., a privately held Montana corporation that does not issue shares to the public or have subsidiaries that issue shares to the public.

DATED this 29th day of June, 2007.



Julie A. Weis